

APR 15 2004

OFFICIAL

Practitioner's Docket No. BUY1P002

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Todd A. Dunning et al.

Application No.: 09/767,646

Group No.: 3625

Filed: January 22, 2001

Examiner: SMITH, Jeffrey

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR REGISTERING AN  
UNREGISTERED VENDOR/PRODUCT IN A BUSINESS-TO-BUSINESS NETWORK-BASED FRAMEWORK

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450 3625

## REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))

## REQUEST FOR PERMISSION TO WITHDRAW

1. I, an agent signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

## LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the assignee of the entire interest is:

BUYLINK CORPORATION

15 High Bluff

Laguna Niguel, CA 92677

Attn: Brian Dunning

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

as "Express Mail Post Office to Addressee"

Mailing Label No. (mandatory)

## TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) 872-9300

Signature

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 1.8 continues to be taken into account in determining timeliness. See 1.703(f). Consider "Express Mail Post Office to Addressee" (1.10) or facsimile transmission (1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Request for Withdrawal as Attorney --page 1 of 3

**BASIS FOR WITHDRAWAL REQUEST**

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c) § (1).

Explanation (including brief description of exhibits, if any):

The client has failed to provide the required retainer to prepare a response to office action. See, for example, Exhibit A which includes a letter to the client dated October 7, 2003 requesting the retainer.

**ALLOWANCE OF TIME FOR CLIENT TO ACT**

4. Status of this Application

A. Response due

(i) There is an outstanding term for response that is set to expire on May 17, 2004. The above term is extendible under 37 C.F.R. § 1.136(a), until September 17, 2004 and the fees for such extension are not being submitted herewith.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), is at least 5 months.

**NOTIFICATION OF CLIENT**

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including attachments, is being sent to the client.

A copy of the letter to the client is attached.

**NUMBER OF COPIES OF REQUEST**

6. This request is enclosed in triplicate.
7. Related Applications for Which Withdrawal is Requested
- None.

**SIGNATURE OF WITHDRAWING PRACTITIONER**

8. Signature(s) of the agent(s) withdrawing (or signature of an authorized attorney on behalf of an agent withdrawing)

Signature of withdrawing practitioner

Kevin J. Zilka  
Reg. No.: 41,429

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

Signature of Practitioner

Kevin J. Zilka  
Silicon Valley IP Group, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Request for Withdrawal as Attorney--page 3 of 3

**SILICON VALLEY IP GROUP, PC**95 S. MARKET ST., SUITE 420  
SAN JOSE, CA 95113TELEPHONE: (408) 971-2573  
FACSIMILE: (408) 971-4660

COPY

April 15, 2004

Brian Dunning  
BuyLink Corporation  
15 High Bluff  
Laguna Niguel, CA 92677

Re: Withdrawal of Power of Attorney

Dear Brian:

Per our recent correspondence of 10/07/03, we have filed a Request for Withdrawal of Power of Attorney paperwork with the Patent and Trademark Office for the following application:

09/767,646

3625

Submitted 4/15/2004

A copy of such paperwork is enclosed for your records.

If you have any questions or need further information, please do not hesitate to contact us.

Sincerely yours,  
Silicon Valley IP Group, PC

Kevin J. Zilka

/Elf  
Enclosures

SILICON VALLEY IP GROUP, PC  
95 SOUTH MARKET STREET, SUITE 420  
SAN JOSE, CA 95113

TELEPHONE: (408) 971-2573  
FACSIMILE: (408) 971-4660

October 7, 2003

EXHIBIT A  
COPY

Brian Dunning  
Buy Link Corporation  
15 High Bluff  
Laguna Niguel, CA 92677

Via Federal Express

Re: Patent Application Entitled: SYSTEM, METHOD AND COMPUTER PROGRAM  
PRODUCT FOR A REBATE FEATURE IN A BUSINESS-TO-BUSINESS NETWORK-  
BASED FRAMEWORK  
Inventors: T. Dunning et al.  
Application No.: 09/639,388  
Filing Date: August 15, 2000  
Our Reference: BUY1P001

Dear Brian:

This message is a follow-up to our previous discussions with Buy Link regarding its  
bankruptcy proceeding some time ago.

We are enclosing for your records a copy of an Office Action we received from the U.S.  
Patent and Trademark Office (PTO) for the above-referenced patent application. A response to this  
Office Action is due on or before December 29, 2003. In order to prepare a response we require a  
\$1,500.00 retainer by November 29, 2003. In the event we do not receive a retainer, we will  
assume that you do not wish to respond to the Office Action and understand that the application will  
go abandoned.

We will further be withdrawing our power of attorney from all of your files, if we do not  
hear from you by the above deadline.

If you have any questions or need any additional information, please do not hesitate to  
contact us.

Sincerely,  
Silicon Valley IP Group, PC

  
Kevin J. Zilka

/Elf  
Enclosure

BUYIP001

**Erica Farlow**

---

**From:** sysdeliv@fn3a.prod.fedex.com  
**Sent:** Thursday, October 09, 2003 10:12 AM  
**To:** erica@svipg.com  
**Subject:** FedEx shipment 792343842157

Our records indicate that the shipment sent from ERICA L FARLOW/SILICON VALLEY IP GROUP to Brian Dunning/Buy Link Corporation has been delivered. The package was delivered on 10/09/2003 at 11:00 AM and signed for or released by B.DUNNING.

The ship date of the shipment was 10/07/2003.

The tracking number of this shipment was 792343842157.

FedEx appreciates your business. For more information about FedEx services, please visit our web site at <http://www.fedex.com>

To track the status of this shipment online please use the following:  
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=792343842157  
&action=track&language=english&cntry\\_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=792343842157&action=track&language=english&cntry_code=us)

**Disclaimer**

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FedEx has not validated the authenticity of any email address.

## SILICON VALLEY IP GROUP, PC

95 SOUTH MARKET ST., SUITE 420  
SAN JOSE, CA 95113TELEPHONE (408) 971-2573  
FAX (408) 971-4660RECEIVED  
CENTRAL FAX CENTER

APR 15 2004

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## FAX COVER SHEET

Date: April 15, 2004	Phone Number	Fax Number
To: Examiner Jeffrey Smith		(703) 872-9306
From: Kevin J. Zilka		

Docket No.: BUY1P002

App. No: 09/767,646

Total Number of Pages Being Transmitted, Including Cover Sheet: 13

## Message:

Please deliver to Examiner Smith.

Thank you,

Kevin J. Zilka

☐ Original to follow Via Regular Mail ☒ Original will Not be Sent ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.  
\*\*\*\*\*

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER  
ANY OTHER DIFFICULTY, PLEASE PHONE Erica  
AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

April 15, 2004